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SIPDIS

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ALSO FOR S/CT AND TTIC

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SUBJECT: ROMANIA: 2004 ANNUAL TERRORISM REPORT

Ref: State 245841

1. Post's submission in "Patterns format," updating last year's "Patterns of Global Terrorism" report (reftel) follows:

Romania is a staunch ally of the United States in the global war against terrorism, providing full public and diplomatic support for US goals to counter terrorism. In 2004, about 1,200 Romanian troops served at any one time in Iraq and Afghanistan, and Romania has promised to maintain its commitment of troops through mid-2005. Romania has made its airspace, ground infrastructure, and naval facilities available to US and NATO forces engaged in the global war against terrorism and senior government leaders have promised to continue to do so in the future.

The Romanian Government has established internal mechanisms to combat terrorism, including adoption of a "National Anti-Terrorism Strategy" and guidelines to prevent the use of the Romanian financial and banking system for the purpose of financing terrorist acts. As part of its national strategy, Romania adopted legislation in 2004 that delineates the responsibilities of Romanian government institutions in battling terrorism, providing a clearer framework for interagency coordination and cooperation. Bucharest is the site of the Southeast European Cooperation Initiative, a regional center that provides law enforcement training and intelligence sharing on transborder criminal activities, including terrorism, for 12 member countries in Southeastern and Central Europe. Romania has fully ratified all 12 UN counter terrorism conventions.

Romania has adopted adequate legislation to address financial crimes and terrorist financing. Nevertheless, its strategic location bordering Ukraine, Moldova and Serbia makes Romania vulnerable to money laundering and other financial crimes that potentially finance terrorist organizations. Romania's weaknesses include the lack of timely reporting of suspicious transactions and other evidence of criminal activity by Romanian banks and insufficient resources (funds and personnel) directed by the Romanian government to prosecuting financial crimes.

2. In the following addendum, post includes relevant developments during 2004, which demonstrate Romania's commitment to battling terrorism:

- Romania adopted on November 25 Law 525, a "Law for Preventing and Fighting Terrorism," as part of its National Anti-terrorism Strategy. The law delineates the responsibilities of Romanian government institutions in battling terrorism, providing a clearer framework for interagency coordination and cooperation. The legislation also aims to provide a unified juridical approach to terrorist activities, including establishment of clear definitions of terrorist activities.

This law provides for a special procedure to authorize electronic interceptions for threats against national security, including terrorist acts. Governmental institutions with competence in the field of national security must forward a written request for authorization to the General Prosecutor of Romania. If the request is found to be justified, the General Prosecutor submits it to the President of the High Court of Cassation and Justice. The final decision is made in chambers by a group of specially designated judges, after a careful analysis. The warrant cannot exceed 6 months, but it may be extended several times for 3 months in justified situations. The extension must also be decided by special judges designated by the president of the High Court of Cassation and Justice.

The law also provides that in exceptional circumstances (when a present and clear danger to the national security occurs) governmental institutions may begin to intercept communications without the proper warrant issued by the judiciary. The request for authorization must be submitted within a maximum of 48 hours from the commencement of the interception.

- The GOR approved a list of persons and companies suspected of engagement in terrorist financing, citing 90 persons and 40 companies engaged in terrorist financing. In November, the GOR asked parliament to enact a draft "Law on Fighting Against Money Laundering and Terrorism." This proposed legislation includes substantive and technical measures aimed at fighting terrorist financing by tightening anti-

money laundering legislation.

- In June of 2004, the GOR responded to criticism of its National Office for the Combating and Prevention of Money Laundering (Romania's Financial Investigation Unit or FIU) by replacing its management. The new management has taken aggressive action to increase the efficiency and security of the office and to improve its relationship with law enforcement institutions, other FIUs, and the banking industry. Reforms have included new procedures and time limits for analyzing and reporting suspicious transactions.

- On November 23, 2004, legislation (Law 508) went into effect that reorganizes police and prosecutorial resources into a directorate under the authority of the prosecutor general for the investigation of organized crime and terrorism. The directorate is authorized to create a database from which it can develop proactive investigations of offenses within its jurisdiction.

- The GOR has ratified the 1997 UN "Convention for the Suppression of Terrorist Bombings". Romania has now ratified all 12 UN anti-terror conventions.

- The GOR has enacted legislation ratifying the Protocol amending the European Convention for Suppressing Terrorism, enacted in Strasbourg on May 15, 2003. The Protocol concerns penal measures aimed at fighting terrorism, including definition of crimes, establishment of sentencing guidelines and definition of extradition rules.

- The GOR modified the Penal Code to contain a new, distinct chapter titled "Crimes and Terrorist Acts" which specifically penalizes terrorist-related crimes, such as terror killing, threats, and financing of terrorist acts.

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